



Geoffrey E. Snyder
Commissioner

**MASSACHUSETTS DEPARTMENT OF REVENUE
COLLECTIONS BUREAU - BANKRUPTCY UNIT**

200 ARLINGTON ST, CHELSEA, MA 02150
Mailing Address: PO BOX 7090, BOSTON, MA 02204-7090
Phone: (617) 626-3875 Fax: (617) 626-3796

DAVID P MARCINCZYK
PO BOX 4
BARRE, MA 01005

Date: 12/17/2021
Chapter 13
Case Number: 21-40912 EDK
SSN: *-**-8192**

**NOTICE BY COMMISSIONER OF MASSACHUSETTS DEPARTMENT
OF REVENUE OF UNFILED PREPETITION TAX RETURNS AND
REQUEST FOR THE SAME**

PLEASE BE ADVISED that the records of the Massachusetts Department of Revenue ("MDOR") indicate that you have not filed certain tax returns that you appear to be required to file. The accompanying schedule lists what these presently appear to be. MDOR hereby demands that you file all Massachusetts tax returns that you have been required to file but have not filed, including those listed on the schedule.

PLEASE TAKE NOTE that Section 1308(a) of the Bankruptcy Code requires that no later than the day before the first scheduled meeting of creditors in your Chapter 13 case you must have filed with the appropriate taxing authorities all returns that were required to be filed for all taxable periods ending during the four (4) year period ending on the filing of your petition. While under appropriate circumstances the trustee or the court can extend that deadline, the failure(s) to file any of those returns before the required or extended deadline are grounds under Section 1307(e) of the Bankruptcy Code for dismissal or the conversion to Chapter 7 of your case. Under applicable law, the burden is upon you to demonstrate that you were not legally required to file a return for each tax period, if that is your position. However, if the return is one required by Section 1308(a) and the original or extended deadline has passed without filing the return(s), even if the dispute is not resolved by then, then your case can still be dismissed or converted to Chapter 7 if the court finds that you do not meet your burden.

PLEASE ALSO BE ADVISED THAT unless we receive a tax return for each tax period of each tax type as set forth in the schedule within thirty (30) days of this notice (whether the return is a required one under Section 1308(a) or not), then in accordance with G.L. c. 62C, § 28, MDOR may determine the tax due according to our best information and belief (Any such assessment(s) would be in addition to any exercise or pursuit of such other rights and remedies).

If you have an attorney representing you in this case, you may wish to consult your attorney on these issues. If there are any further questions, your attorney or you may contact the Massachusetts Department of Revenue Bankruptcy Unit at (617) 626-3875 or confer with the MDOR representative at your Section 341 meeting of creditors should one be in attendance.

<u>Account Type</u>	<u>Filing Period</u>	<u>Filing Status</u>
Personal Income Tax	12/31/2020	

***PLEASE TAKE FURTHER NOTICE** that Geoffrey E. Snyder, as he is Commissioner of Revenue for the Commonwealth of Massachusetts, by and through his undersigned agent, hereby makes demand upon the Debtor to file forthwith the above-identified tax returns.*

**GEOFFREY E. SNYDER
COMMISSIONER
MASSACHUSETTS DEPARTMENT OF REVENUE**

By his duly authorized agent,

/s/ Belinda Ancion
**MASSACHUSETTS DEPARTMENT OF REVENUE
BANKRUPTCY UNIT - COLLECTIONS BUREAU
200 ARLINGTON ST, CHELSEA, MA 02150
PO BOX 7090 BOSTON, MA 02204-7090
(617) 626-3875**



Geoffrey E. Snyder
Commissioner

**MASSACHUSETTS DEPARTMENT OF REVENUE
COLLECTIONS BUREAU - BANKRUPTCY UNIT**

**200 ARLINGTON ST, CHELSEA, MA 02150
PO BOX 7090, BOSTON, MA 02204-7090
Phone: (617) 626-3875 Fax: (617) 626-3796**

In re: DAVID P MARCINCZYK

**Chapter 13
Case Number: 21-40912 EDK**

CERTIFICATE OF SERVICE

I, Belinda Ancion, hereby certify that I have caused the attached Commissioner of the Massachusetts Department of Revenue's Notice of Unfiled Prepetition Tax Returns and Request For The Same Pursuant To 11 U.S.C. Section 1308, to be served by first class mail, postage prepaid, upon parties or persons appearing on the accompanying SERVICE LIST attached hereto who were not listed as being served electronically upon.

PRO SE

**Chapter 13 Trustee
PO BOX 16607
WORCESTER, MA 01601**

**/s/ Belinda Ancion
MASSACHUSETTS DEPARTMENT OF REVENUE
12/17/2021**